

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In Re: HASSAN NAVABI & YULIA MENDYUK

Case No. 10-16795

Debtor

Chapter 11

HASSAN NAVABI & YULIA MENDYUK

Plaintiffs

Adv. Proc. 11-01184 RGM

v.

REQUEST

BANK OF AMERICA, N.A.

Defendant

And

BAC Home Loan Servicing, LP

Defendant

REQUEST FOR ENTRY OF DEFAULT

TO THE CLERK:

HASSAN NAVABI and YULIA MENDYUK, by and through their attorneys Michael G. Dana and the Fried Law Firm, P.A., requests that the Clerk of the Court enter the Default of the Defendants BANK OF AMERICA, N.A. and BAC HOME LOAN SERVICING, LP, and in support thereof, submits the following:

1. Counsel for the Plaintiffs in the above captioned case served the complaint on the Defendants by certified mail, return receipt requested, directed to the following parties:

- a. Bank of America, N.A., Lawrence J. Buckley, Creditor's Authorized Agent

per Proof of Claim, PO Box 829009, Dallas, Texas 75382-9009;\

b. Brian T. Moynihan, Chief Executive Officer and President, Bank of America, N.A., 214 N. Tryon St., NC1-027-20-05, Charlotte, NC 28255;

c. CT Corporation System, Resident Agent for Bank of America, National Association, 4701 Cox Road, Suite 301; Glen Allen, Virginia 23060-6802

2. Such service was reflected in the certificate of service filed with this Court on April 6, 2011, at Docket Entry No. 6.
3. The Plaintiffs' Counsel received certified mailing certificates from the United States Postal Service reflecting service on these parties as shown in Exhibit 1 attached hereto.
4. Bankruptcy Rule 7012(a) and the summons issued in this case required the Defendants to answer the Complaint within 30 days of the issuance of the summons.
5. Thus, the Defendants' answer was due to be filed on or before May 4, 2011.
6. As of the date of this request, i.e., May 20, 2011, the Defendant has failed to file any answer with this Court or otherwise defend against the Complaint.
7. Accordingly, the Clerk shall enter the Defendants' Default pursuant to Bankruptcy Rule 7055 and Federal Rule of Civil Procedure 55(a).

Based upon the foregoing, the Plaintiffs request that the Clerk enter Default against the Defendants Bank of America, N.A. and BAC Home Loan Servicing, LP.

Date: May 25, 2011

Respectfully submitted,

/s/ Michael G. Dana, Esquire

Michael G. Dana, Bar No. 72106

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